

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

NATIONAL LABOR RELATIONS BOARD,

2:12-cv-1747-LRH-CWH

Petitioner,

v.

ADVANCED ARCHITECTURAL METALS,
INC.; and its alter egos, ADVANCED
METAL, INC.; STEEL SPECIALTIES
UNLIMITED, INC.; AAM; and LORI IRISH
a/k/a LORI IRISH d/b/a BRIDAL
ELEGANCE AND TUXEDOS,

ORDER

Respondents,

and

JP MORGAN CHASE BANK NA,

Garnishee.

Before the court is respondent Lori Irish's ("Irish") motion to stop unwarranted harassment of her son Colby Irish, Colby Irish's trusts, and the trustees of his trusts. ECF No. 73. Petitioner National Labor Relations Board ("NLRB") filed an opposition. ECF No. 74.

I. Facts and Procedural History

On August 10, 2011, the United States Court of Appeals for the Ninth Circuit issued a judgment in favor of Petitioner NLRB and against Irish, jointly and severally with the named corporate respondents, in the amount of \$1,935,353.40, plus interest. See ECF No. 1. To date, NLRB has recovered approximately \$317,000.00 from the

1 corporate respondents, all of which are now defunct. NLRB initiated the present case
2 pursuant to 28 U.S.C. § 1963 in an effort to recover the remaining funds owed. ECF
3 No. 1.

4 Documents provided to NLRB by Irish in 2013 indicated that Irish served as the
5 trustor, grantor, and trustee of The Lortax Trust ("the trust"), and additionally had power
6 to amend that trust. Furthermore, these documents indicated that the trust holds, or held
7 at that time, certain real and personal property. On July 7, 2015, at a status conference
8 in a different matter, Irish indicated that the trust was terminated and all the benefits
9 were turned over to her son, Colby Irish, as beneficiary of the trust. ECF No. 71 at
10 Exhibit 2. Accordingly, NLRB pursued various discovery actions in attempt to obtain
11 documents related to termination of the trust. Subsequently, Irish filed the present
12 motion to stop unwarranted harassment of Colby Irish, Colby Irish's trusts, and the
13 trustees of his trusts. ECF No. 73.

14 **II. Legal Standard**

15 Courts have a duty to construe *pro se* pleadings liberally, including *pro se*
16 motions. *Bernhardt v. L.A. Cnty.*, 339 F.3d 920, 925 (9th Cir. 2003). While *pro se*
17 pleadings are construed liberally, *pro se* litigants are held to the same standards as
18 parties with attorneys and must comply with procedural rules. *See Jacobsen v. Filler*,
19 790 F.2d 1362, 1364 (9th Cir. 1986) (stating that *pro se* litigants in an ordinary civil case
20 should not be treated more favorably than attorneys of record in reference to procedural
21 rules). In her motion, Irish requests monetary damages in the amount of \$1,000 as
22 compensation for NLRB's harassment. *See* ECF No. 73. Because Irish is seeking
23 monetary sanctions for NLRB's conduct in seeking further discovery, this court will treat
24 Irish's motion as a motion for sanctions for discovery related issues.

25 **III. Discussion**

26 District courts have broad discretion in imposing discovery sanctions. *Ritchie v.*
27 *United States*, 451 F.3d 1019, 1026 (9th Cir. 2006). In evaluating the propriety of
28 sanctions, a court looks at all incidents of a party's misconduct. *Adriana Intl. Corp. v.*

